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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:

BRADLEY EMALFARB

Serial No. 10/822,941

Filed: April 13, 2004

) A SYSTEM AND METHOD FOR  
) MONITORING THE DISPENSING  
) OF AN ALCOHOLIC BEVERAGE  
) FROM A CONTAINER  
)  
) Art Unit 1761  
)  
) Examiner Weinstein, Steven L.

**RESPONSE**

Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, VA 22313-1451  
Sir:

This is a response to the Office Action dated July 16, 2007.

Applicant elects to prosecute the claims in group 1, species A, subspecies A1, and additional subspecies A1a. Claims 1, 2, 3, 5, 9, 13, 14 and 19 are readable on the elected species/subspecies. This election is made with traverse.

It is respectfully submitted that searching to identify the enveloping closure system would logically encompass all different manners of connecting the wall parts. Thus, the claims directed to subspecies A1a through A1e should be encompassed by the same search. It is respectfully submitted that it would not impose undue burden upon the Examiner to keep all of these subspecies in the elected group of claims.

Reconsideration of the restriction requirement and a favorable action on the merits are requested.

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37 CFR 1.8  
CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on 7-27-07 (date).

*Terri Craine*  
Terri Craine

Respectfully submitted,

By   
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